AO 440 (Rev. 8/01) Summons in a Civil Action

FILED

# UNITED STATES DISTRICT COURT

EASTERN District of VIRGINIA

2007 OCT 12 P 12:24

CLERK US DISTRICT COURT
ALEXANDRIA, VIRGINIA

SmithKline Beecham, SmithKline Beecham PLC
and Glaxo Group Ltd.

V.

John Dudas, In his Official Capacity and The
United States Patent & Trademark Office

## SUMMONS IN A CIVIL ACTION

CASE NUMBER: 1:07 cv 1008

TO: (Name and address of Defendant)

Jon Dudas
In his Official Capacity as Under Secretary of Commerce for Intellectual
Property and Director of the United States Patent & Trademark Office
Serve (pursuant to 37 C.F.R. 104.2)
Office of the General Counsel, United States Patent & Trademark Office
10B20 Madison Building East, 600 Dulany Street, Alexandria, VA 22313

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Elizabeth M. Locke
Kirkland & Ellis LLP
655 15th Street, NW
Washington, DC 20005

an answer to the complaint which is served on you with this summons, within 60 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Fernando Galindo, Clerk
CLERK OF COURT

10/9/07
DATE

(By) DEPUTY CLERK [signature]

AO 440 (Rev. 8/01) Summons in a Civil Action

## RETURN OF SERVICE

| Service of the Summons and complaint* was made by me[1] | DATE 10-10-07 at 2:00 p.m. |
|---|---|
| NAME OF SERVER *(PRINT)* Melvin M. Shapiro | TITLE Private Process Server |

*Check one box below to indicate appropriate method of service*

☐ Served personally upon the defendant. Place where served:

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:

☒ Other (specify): By serving Elisa Jackson, General Counsel, authorized to accept. service was completed at 600 Dulany Street, Alexandria, Virgiia 22313.

## STATEMENT OF SERVICE FEES

| TRAVEL | SERVICES | TOTAL $0.00 |
|---|---|---|

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 10-11-07
Date

*Signature of Server*

Capitol Process Services, Inc.
1827 18th Street, N.W.
Washington, D.C. 20009
(202) 667-0050

*Address of Server*

* Civil Cover Sheet, Plaintiffs' Corporate Disclosure Statement Pursuant to Fed.R.Civ.P.7.1 and Local Rule 7.1 and Exhibit A

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.